

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR10-122-JCC
Plaintiff,)
)
v.)
) DETENTION ORDER
LAMONT MCKINNEY,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Distribute Oxycontin and Marijuana; Possession with Intent
to Distribute Oxycontin; Possession of a Firearm During and in Relation
to a Drug Trafficking Crime; Allegations of Forfeiture

Date of Detention Hearing: August 2, 2010

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably assure
the appearance of defendant as required and the safety of other persons and the community.

///

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §3142(e).

2. Defendant has a lengthy criminal record which includes numerous failures to appear and bench warrant activity. Many of the charges are assault convictions. There is an active felony warrant from the State of Utah. He has an unstable residential history. The defendant is associated with two dates of birth and three Social Security numbers. There is some discrepant information with regard to his sources of income. Although defendant alleges that his tow truck business provides him with a legitimate source of self-employment income, the Washington State Department of Revenue indicates the business is inactive. Defendant is alleged to be an active gang member, but he disputes this allegation.

3. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant
03 is confined shall deliver the defendant to a United States Marshal for the purpose
04 of an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 2nd day of August, 2010.

09 

10 Mary Alice Theiler
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22